

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By Chairman Elsie Arntzen on February 22, 2007 at 3:59 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Elsie Arntzen, Chairman (R)
Rep. Wayne Stahl, Vice Chairman (R)
Rep. Brady Wiseman, Vice Chairman (D)
Rep. Duane Ankney (R)
Rep. Mark Blasdel (R)
Rep. Bob Ebinger (D)
Rep. Wanda Grinde (D)
Rep. Betsy Hands (D)
Rep. Pat Ingraham (R)
Rep. Hal Jacobson (D)
Rep. William J. Jones (R)
Rep. Deborah Kottel (D)
Rep. Gary MacLaren (R)
Rep. Bill Nooney (R)
Rep. Jesse O'Hara (R)
Rep. Diane Sands (D)

Members Excused: None.

Members Absent: None.

Staff Present: Sonja Lee, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 684, HB 776, 2/15/2007
Executive Action: HB 729, HB 649, HB 425, HB 776,
HB 684

HEARING ON HB 776

Opening Statement by Sponsor:

00:01:31 Rep. Ernie Dutton (R), HD 56, opened the hearing on HB 776, Clarify law enforcement access on private roads.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:04:04 Jim Kropp, Chief Law Enforcement Officer, Department of Fish, Wildlife and Parks, State of Montana

Questions from Committee Members and Responses:

00:05:12 Rep. Stahl
00:06:07 Rep. Dutton
00:06:12 Rep. Ingraham
00:06:18 Rep. Dutton
00:07:02 Rep. Wiseman
00:07:21 Rep. Dutton

Closing by Sponsor:

00:10:05 Rep. Dutton

HEARING ON HB 684

Opening Statement by Sponsor:

00:11:25 Rep. Michelle Reinhart (D), HD 97, opened the hearing on HB 684, Revise impact fee laws.

Proponents' Testimony:

00:15:34 George Corn, Ravalli County Attorney
00:21:08 John Horwich, Land Use/Planning Professor and Director of the Land Use Clinic, University of Montana Law School, Missoula, Montana

EXHIBIT (loh40a01)

00:28:03 Joe Schmuacher, Farmer, Law Student, Land Use Clinic, University of Montana, Missoula, Montana
00:32:37 John Magee, Superintendent, Florence-Carlton School, Florence, Montana
00:35:49 Linda Cardenas, Stevensville, Montana, Lone Rock Citizens for Responsible Growth

EXHIBIT (loh40a02)

00:38:24 Leo Gallagher, Lewis and Clark County Attorney, Board
Member, Montana Association of Countys

Opponents' Testimony:

00:40:10 Byron Roberts, Executive Director, Montana Building
Association

EXHIBIT(loh40a03)

00:47:16 Dustin Stewart, Montana Building Industry Association

EXHIBIT(loh40a04)

00:53:53 Michael Kakuk, Montana Building Industry Association,
Montana Association of Realtors

EXHIBIT(loh40a05)

Informational Testimony: None

Questions from Committee Members and Responses:

01:00:22 Rep. Ingraham
01:01:56 Mr. Horwich
01:02:58 Rep. Jacobson
01:03:18 Mr. Kakuk
01:03:23 Mr. Gallagher
01:05:03 Rep. Ebinger
01:06:07 Mr. Schumacher
01:08:15 Rep. Nooney
01:09:35 Rep. Reinhart
01:12:25 Mr. Gallagher
01:13:36 Rep. Ingraham
01:14:00 Mr. Stewart
01:14:49 Rep. Wiseman
01:15:08 Mr. Horwich
01:16:01 Rep. Reinhart
01:17:49 Rep. Stahl
01:18:11 Rep. Reinhart
01:20:41 Mr. Corn
01:21:00 Mr. Horwich
01:25:48 Rep. MacLaren
01:26:02 Mr. Stewart
01:28:53 Mr. Corn
01:30:58 Mr. Roberts
01:35:35 Rep. Jacobson
01:36:34 Rep. Reinhart
01:37:08 Sonja Lee, Legislative Services
01:37:25 Mr. Gallagher
01:38:26 Mr. Corn

Closing by Sponsor:

01:40:14 Rep. Reinhart

01:42:14 Break

01:52:55 Reconvene

EXECUTIVE ACTION ON HB 729

01:53:36 **Motion:** Rep. Stahl moved **HB 729**.

01:54:05 **Motion:** Rep. Nooney moved that **HB 729 BE AMENDED**.
EXHIBIT(loh40a06)

Discussion:

01:54:18 Ms. Lee

Discussion:

01:55:51 Rep. Nooney

01:56:10 Ms. Lee

01:56:22 Rep. Ingraham

01:56:56 Rep. Wiseman

01:57:08 **Vote:** Motion **HB 729 BE AMENDED** carried unanimously by voice vote. Rep. Hands voted by proxy.

01:57:33 **Motion:** Rep. Wiseman moved that **HB 729 DO PASS AS AMENDED**.

Discussion:

01:57:52 Rep. Ingraham

01:59:29 Rep. Jones

02:00:21 Rep. Kottel

02:02:12 Rep. Ebinger

02:03:02 **Vote:** Motion that **HB 729 DO PASS AS AMENDED** carried 14-2 by roll call vote with Reps. Ingraham and MacLaren voting no. Rep Hands voted by proxy.

EXECUTIVE ACTION ON HB 649

02:04:05 **Motion:** Rep. O'Hara moved that **HB 649 DO PASS.**

02:05:04 **Motion:** Rep. Stahl moved that **HB 649 BE AMENDED.**
EXHIBIT(loh40a07)

Discussion:

02:05:12 Ms. Lee
02:08:37 Chairman Arntzen
02:08:55 Rep. Stahl
02:11:37 Rep. Wiseman

02:11:40 **Vote:** Motion that **HB 649 BE AMENDED** carried
unanimously by voice vote. Rep. Hands voted by proxy.

02:12:00 **Motion:** Rep. Stahl moved that **HB 649 DO PASS AS**
AMENDED.

02:12:15 **Motion:** Rep. Stahl moved that **HB 649 BE AMENDED** with
PARAGRAPHS 1-7 AND 9, DELETING PARAGRAPH 8.
EXHIBIT(loh40a08)

02:12:45 **Vote:** Motion that **HB 649 BE AMENDED** carried
unanimously by voice vote. Rep. Hands voted by proxy.

02:13:03 **Motion:** Rep. Wiseman moved that **HB 649 DO PASS AS**
AMENDED.

Discussion:

02:14:53 Rep. Jones
02:16:09 Rep. Kottel
02:24:13 Rep. Nooney
02:26:04 Rep. Stahl
02:26:40 Rep. Ingraham
02:28:06 Rep. Stahl
02:28:34 Rep. O'Hara
02:29:06 Rep. Sands

02:29:41 **Substitute Motion/Vote:** Rep. Sands made a substitute
motion that **HB 649 BE TABLED.** Substitute motion carried
12-4 by roll call vote with Reps. Stahl, Blasdel,
O'Hara, and Arntzen voting no. Reps. Hands and Ankney
voted by proxy.

EXECUTIVE ACTION ON HB 425

02:32:43 **Motion:** Rep. Wiseman moved that **HB 425 DO PASS.**

02:32:53 **Motion:** Rep. Stahl moved that **HB 425 BE AMENDED.**
(from hearing 2/15/07)

Discussion:

02:33:16 Ms. Lee
02:36:00 Rep. Nooney
02:39:42 Mr. Kakuk

EXHIBIT(loh40a09)

02:40:05 **Vote:** Motion that **HB 425 BE AMENDED** carried 14-2 by voice vote with Reps. Ankney and Stahl voting no. Reps. Hands and Ankney voted by proxy.

02:40:58 **Motion:** Rep. Wiseman moved that **HB 425 DO PASS AS AMENDED.**

Discussion:

02:41:44 Ms. Lee
02:42:18 Rep. Wiseman
02:42:40 Rep. Arntzen
02:43:23 Rep. Jon Sesso, HD 76
02:46:19 Rep. Arntzen
02:48:05 Mr. Kakuk
02:49:45 Rep. MacLaren
02:50:59 Rep. Sesso

02:52:20 **Vote:** Motion that **HB 425 DO PASS AS AMENDED** carried 9-7 by roll call vote with Reps. Stahl, Ankney, Blasdel, Ingraham, Jones, Nooney, and Arntzen voting no. Reps. Ankney and Hands voted by proxy.

EXECUTIVE ACTION ON HB 776

02:54:09 **Motion/Vote:** Rep. Stahl moved that **HB 776 BE TABLED.**
Motion carried 15-1 by voice vote with Rep. Jones voting no. Reps. Ankney and Hands voted by proxy.

EXECUTIVE ACTION ON HB 684

02:55:07 **Motion/Vote:** Rep. Stahl moved that **HB 684 BE
TABLED**. Motion carried unanimously by voice vote. Reps.
Ankney and Hands voted by proxy.

02:56:26 Chairman Arntzen

02:58:21 Rep. Wiseman

ADJOURNMENT

Adjournment: 7:00 P.M.

REP. ELSIE ARNTZEN, Chairman

PAM SCHINDLER, Secretary

EA/ps

Additional Exhibits:

EXHIBIT ([loh40aad.pdf](#))